

REMARKS

Claims 1-11 and 14 are pending in the application. Claims 1 and 10 are amended to indicate specific solvents used in the polyisocyanate and/or binder components. Support for the amendments can be found at page 7 lines 4-11. A Declaration of Dr.Michael Mager is submitted herewith under Rule 1.132.

Rejections under 35 U.S.C. §103(a)

Claims 1-11 and 14 stand rejected under 35 U.S.C. § 103(a) as being obvious over BASF as evidenced by Kubitza in view of Bayer, and further in view of either *Ullmann's Encyclopedia of Industrial Chemistry* or Lewis. Applicants respectfully traverse these rejections as they may pertain to Claims 1 and 10, as amended, and the claims depending therefrom.

Claims 1 and 10 have been amended to recite the use of diacetone alcohol, alone or in combination with other suitable solvents, in the preparation of the polyisocyanate and/or binder components of the first coating layer, which comprises a two-component polyurethane adhesion promoter. As established in the declaration of Dr.Mager, diacetone alcohol provides excellent adhesion of the protective covering system of the present invention to a polycarbonate surface. The declaration provides examples comparing diacetone alcohol to the solvents disclosed in BASF (aromatics such as toluene, acetates such as n-butylacetate and ethylacetate, and ketones such as methylethylketone). As shown in the declaration, the solvents of BASF do not impart the desired adhesion properties to the coating. All of the samples using solvents other than diacetone alcohol fail to adhere to a polycarbonate surface.

Lewis is cited for the disclosure of diacetone alcohol as a solvent in silane-containing hardcoatings. It is asserted in the Office Action that it would be obvious to use diacetone alcohol in the composition taught by the BASF reference to arrive at the present invention. Applicants respectfully disagree with this assertion.

Lewis teaches a one-layer coating on a plastic substrate, and is silent on two-layer coatings, as used in the present invention. Lewis does not provide any guidance on adhesion of an inorganic or inorganic-organic hybrid coating to a primer coat. Additionally, as can be seen in the examples of Lewis, not all of the alkoxy silyl compounds tested by Lewis provide the desired adhesion to the substrate (see

example 8). Therefore, one skilled in the art would not know how to select the specific solvent in combination with the appropriate alkoxy silyl compounds to provide adhesion of the primer coat to the polycarbonate substrate and adhesion of the inorganic or inorganic-organic hybrid coating to the primer, based on the teachings of Lewis, or Lewis combined with the other references.

Moreover, absent the hindsight provided by the present invention, one skilled in the art would have no motivation to combine the isocyanate content of the hardener taught by Kubitz, with the solvent used by Lewis, with the inorganic-organic hybrid coatings taught by Bayer, in two layer coatings as taught by BASF – merely arriving at the correct solvent-alkoxy silyl combination (forgetting, for the moment, the other aspects of the invention) would require undue experimentation, as it would be necessary to test each solvent with many different alkoxy silyl compounds, leading to an overwhelming number of combinations. Applicants respectfully submit that Claims 1 and 10, and the claims depending therefrom, are not obvious in view of any of the references cited, and request withdrawal of all §103 rejections.

CONCLUSION

In view of the above amendments and remarks, Applicants submit that all outstanding issues are addressed and Claims 1-11 and 14 are in condition for allowance; such action is respectfully requested at an early date.

Respectfully submitted,

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